

REMARKS

I. Status of the Application

Claims 1-20 are pending in this application. In the April 9, 2007 office action, the

Examiner:

- A. Objected to the abstract;
- B. Rejected claims 1-4 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,552,664 to Nishikawa (hereinafter “Nishikawa”);
- C. Rejected claims 5-6, 8-13 and 18-20 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nishikawa; and
- D. Rejected claims 7 and 14-17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nishikawa in view of U.S. Patent No. 6,756,905 to Rattman et al.

In this response, applicants have amended claim 1, cancelled claims 2 and 3 and added new claims 21 and 22. Applicant respectfully traverses the examiner’s rejection to claims 1-20 as set forth below.

II. The Objection to the Abstract Should be Withdrawn

In the April 9, 2007 Office action, the examiner objected to the abstract for being two paragraphs. Applicant has amended the abstract to remove any appearance of dual paragraphs. Accordingly, it is respectfully submitted that the examiner’s objection to the abstract should be withdrawn.

III. The Rejection of Claim 1 Under 35 U.S.C. § 103(a) Should Be Withdrawn

In the April 9, 2007 Office action, the examiner rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by Nishikawa. As provided in MPEP § 2131, “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 USPQ2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989). In addition, the elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

The Nishikawa reference does not disclose all the limitations of claim 1. For example, the Nishikawa reference does not disclose “detector modules having sensors for different fire parameters”, as set forth in claim 1. By contrast, Nishikawa discloses a method of fabricating a fire detector where the printed circuit board is configured differently in different embodiments. The printed circuit board includes a plurality of ICs, including a “smoke sensor unit”, a “thermal sensor unit” and a “signal processing unit”. In the April 9, 2007 Office action, the examiner appears to correlate the ICs on the printed circuit board of Nishikawa to the “detector modules having sensors for different fire parameters” of claim 1. However, the ICs disclosed in Nishikawa are not “sensors” that are operable to detect different fire parameters. Indeed, the ICs of Nishikawa relate only to the processing of electronic signals. The ICs alone can not be considered “sensors”. For example, how can an IC be considered a sensor for detecting smoke? Nishikawa only discloses different connections that may be made between the ICs on a printed circuit board. Thus, while

Nishikawa discloses a printed circuit board that may be provided in one of several different embodiments, there is no disclosure of actual sensors on the printed circuit board.

Accordingly, Nishikawa does not disclose all the limitations of claim 1 including “detector modules having sensors for different fire parameters”.

Another example of a limitation of claim 1 not disclosed in Nishikawa is that of “all detection modules being compatible within a single housing”. In the April 9, 2007 Office action, the examiner did not disclose where Nishikawa discloses a single housing configured to adapt different detection modules. Applicant submits that the reason for this is that different detection modules compatible within a single housing are not disclosed in Nishikawa. Based on the examiner’s silence on this limitation from claim 1, the examiner has clearly failed to make a prima facie case of anticipation as required by MPEP § 2131. Accordingly, it is respectfully submitted that the examiner’s rejection of claim 1 should be withdrawn for at least this reason.

Yet another example of a limitation of claim 1 not disclosed in Nishikawa is that of “the sensor arrangement and the access openings are arranged substantially in one plane”. This limitation was originally provided in dependent claim 2, and has now been incorporated into amended claim 1. However, in the April 9, 2007 Office action, the examiner failed to even discuss this limitation of previous claim 2. Applicant submits that the reason for this is that neither access openings nor the sensor arrangement provided in the same plane as the access openings are disclosed in Nishikawa. Based on the examiner’s silence on this limitation from previous claim 2, the examiner has clearly failed to make a prima facie case of anticipation as required by MPEP § 2131. Accordingly, it is respectfully submitted that the examiner’s rejection of amended claim 1 should be withdrawn for at least this reason.

Still another example of a limitation of claim 1 not disclosed in Nishikawa is that of “wherein the detector modules have an identical carrier plate for all detector types”. This limitation was originally provided in dependent claim 3, and has now been incorporated into amended claim 1. However, in the April 9, 2007 Office action, the examiner failed to even discuss this limitation of previous claim 3. Applicant submits that the reason for this is that identical carrier plates between detector modules are not disclosed in Nishikawa. Based on the examiner’s silence on this limitation from previous claim 3, the examiner has clearly failed to make a prima facie case of anticipation as required by MPEP § 2131. Accordingly, it is respectfully submitted that the examiner’s rejection of amended claim 1 should be withdrawn for at least this reason.

For at least the reasons discussed above, Nishikawa does not disclose all limitations of claim 1 of the present application. Accordingly, it is respectfully submitted that claim 1 is allowable and the examiner’s rejection of claim 1 as anticipated by Nishikawa under 35 U.S.C. § 102(b) should be withdrawn.

IV. The Rejection of Claims 4-20 Should be Withdrawn

Dependent claims 4-20 depend from and incorporate all the limitations of Claim 1. As set forth above, it is respectfully submitted that claim 1 is allowable. Accordingly, it is also submitted that dependent claims 4-20 are also allowable for at least the same reasons the independent claim 1 is allowable.

V. Conclusion

For all of the foregoing reasons, it is respectfully submitted the applicant has made a patentable contribution to the art. Favorable reconsideration and allowance of this application, including new claims 21 and 22, is therefore respectfully requested.

In the event applicant has inadvertently overlooked the need for an extension of time or payment of an additional fee, the applicant conditionally petitions therefore, and authorizes any fee deficiency to be charged to deposit account 13-0014.

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Respectfully submitted,



Russell E. Fowler II
Attorney for Applicants
Attorney Registration No. 43,615
Maginot Moore & Beck
Chase Tower
111 Monument Circle, Suite 3250
Indianapolis, Indiana 46204-5109
Telephone: (317) 638-2922